

*Office Memorandum* • UNITED STATES GOVERNMENT

TO : Lawrence R. Houston

DATE: 15 January 1953

FROM : 

SUBJECT: Extract of Letter Allocating Funds of the Executive of the United States.

Funds of the Executive, allocated to a committee or commission, should be exempt from certain normal restrictions on the expenditure of appropriated money.

The possible application of the following statutes, or portions thereof, should be specifically exempted by the letter of allocation and a definite statement contained in said letter as to the extent of the intended exemption.

1. 5 USC 83 - prohibits payment of fees or dues of any employee of the Federal Government or payment of expenses of attendants at any convention or meeting of members of any society or organization unless specific appropriation or provided by express terms in general appropriation act.

Relief from this section would allow members of the commission to continue membership and to attend "professional" meetings at Government expense during employment with the committee.

2. 5 USC 78 - Restrictions on payments for purchase or operation of passenger carrying vehicles.

The provisions of this section are exempted to the extent necessary to permit rental of passenger motor vehicles.

3. The Civil Service Laws and the Classification Act of 1949, as amended.

Exemption from these statutes provides authority for appointment and classification of personnel without regard to normal standards.

4. 5 USC 835-842 - Establishes maximum per diem and mileage allowances for travel of Government employees, and

5 USC 73 b-2 - establishes travel allowances and per diem payable to consultants or experts in accordance with the Standardized Travel Regulations for those persons receiving compensation when actually employed. It also

establishes \$10. a day per diem for persons serving without compensation or at \$1. a year and transportation expenses for WOC's in accord with the Standardized Travel Regulations.

Exemption from these provisions would allow travel and per diem payments for consultants or experts whether compensated or not at a rate established by the commission.

5. 5 USC 314 - restricts the employment of attorneys on behalf of the U. S. Government.

Exemption from this restriction would allow payment of fees of an attorney or counselor for the committee.

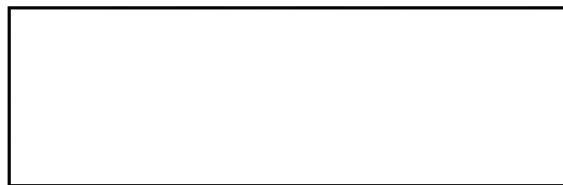
6. 5 USC 34 and 40 USC 278 a. - restricts the amount that may be paid in rental of buildings and the amount that may be expended for alterations, improvements and repairs. It also restricts leasing of property within the District of Columbia except under the authority of the specific appropriation for rental of space.

Exemption from these provisions would allow leasing of space without prior appropriation authority and remove the restriction on rental and renovations.

7. 5 USC 55 a. - This section provides the authority for the head of any agency or department to procure the temporary or intermittent services of experts, consultants, or others, when authorized in an appropriation or other act.

This exemption would remove the monetary limitations to the extent necessary to permit payments to individuals employed or serving as consultants with the committee at a rate established by the committee.

Attached hereto is a proposed format or extract of two paragraphs of the letter of allocation setting forth the authority of the committee for the expenditure of funds and the specific statutes or portions thereof exempted from application.



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The funds hereby allocated shall be available for necessary expenses of the Commission including personal services in the District of Columbia and elsewhere; hire of passenger motor vehicles; attendance at meetings concerned with the purpose of the funds hereby allocated; and services in accordance with the provisions of section 15 of the Act of August 2, 1946 (5 U.S.C. 552), at rates not to exceed \$50 per diem for individuals. Persons serving on a per diem basis or without compensation may be paid transportation expenses and an allowance of not to exceed \$20 per diem in lieu of subsistence while away from their homes or regular places of business in connection with such service or employment.

The funds hereby allocated shall be available without regard to (1) section 8 of the Act of June 26, 1912 (5 U.S.C. 83); (2) to the extent necessary to permit rental of passenger motor vehicles, section 16 of the Act of August 2, 1946 (5 U.S.C. 78); (3) the Civil Service laws and the Classification Act of 1949, as amended; (4) to the extent necessary to permit payments to individuals employed or serving without compensation as contemplated in the preceding paragraphs of this letter, the monetary limitations of the Travel Expense Act of 1949 (5 U.S.C. 835-842) and section 5 of the Act of August 2, 1946 (5 U.S.C. 73 b-2); (5) section 365 of the Revised Statutes (5 U.S.C. 314); (6) section 1 of the Act of March 3, 1877 (40 U.S.C. 34), and section 322 of the Act of June 30, 1932, as amended (40 U.S.C. 278a); and (7) to the extent necessary to permit payments to individuals employed or serving as consultants, the monetary limitations of section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).